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By: **Delegates Gordon, Healey, Hixson, Howard, and Marriott**  
Introduced and read first time: February 9, 2004  
Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Regulatory Units - Fee-Setting Authority**

3 FOR the purpose of providing that certain fees imposed by certain licensing units,  
4 regulatory units, and officials of State government in effect on a certain date  
5 remain in effect until altered by the General Assembly; declaring the intent of  
6 the General Assembly; and generally relating to fees imposed by units of State  
7 government.

8 BY adding to  
9 Article - Agriculture  
10 Section 1-202  
11 Annotated Code of Maryland  
12 (1999 Replacement Volume and 2003 Supplement)

13 BY adding to  
14 Article - Business Occupations and Professions  
15 Section 1-209  
16 Annotated Code of Maryland  
17 (2000 Replacement Volume and 2003 Supplement)

18 BY adding to  
19 Article - Business Regulation  
20 Section 1-211  
21 Annotated Code of Maryland  
22 (1998 Replacement Volume and 2003 Supplement)

23 BY repealing and reenacting, with amendments,  
24 Article - Corporations and Associations  
25 Section 5-108(b)  
26 Annotated Code of Maryland  
27 (1999 Replacement Volume and 2003 Supplement)

28 BY repealing and reenacting, with amendments,

1 Article - Education  
2 Section 13-516(c)  
3 Annotated Code of Maryland  
4 (2001 Replacement Volume and 2003 Supplement)

5 BY adding to  
6 Article - Environment  
7 Section 1-204  
8 Annotated Code of Maryland  
9 (1996 Replacement Volume and 2003 Supplement)

10 BY repealing and reenacting, with amendments,  
11 Article - Family Law  
12 Section 5-4C-03  
13 Annotated Code of Maryland  
14 (1999 Replacement Volume and 2003 Supplement)

15 BY adding to  
16 Article - Financial Institutions  
17 Section 1-210  
18 Annotated Code of Maryland  
19 (2003 Replacement Volume)

20 BY adding to  
21 Article - Health - General  
22 Section 1-203  
23 Annotated Code of Maryland  
24 (2000 Replacement Volume and 2003 Supplement)

25 BY repealing and reenacting, with amendments,  
26 Article - Health Occupations  
27 Section 1-205  
28 Annotated Code of Maryland  
29 (2000 Replacement Volume and 2003 Supplement)

30 BY repealing and reenacting, with amendments,  
31 Article - Labor and Employment  
32 Section 5-315(b) and 9-6A-07(b)  
33 Annotated Code of Maryland  
34 (1999 Replacement Volume and 2003 Supplement)

35 BY adding to  
36 Article - Natural Resources

1 Section 1-403  
2 Annotated Code of Maryland  
3 (2000 Replacement Volume and 2003 Supplement)

4 BY adding to  
5 Article - Public Safety  
6 Section 1-203  
7 Annotated Code of Maryland  
8 (2003 Volume)

9 BY repealing and reenacting, with amendments,  
10 Article - Public Utility Companies  
11 Section 2-111  
12 Annotated Code of Maryland  
13 (1998 Volume and 2003 Supplement)

14 BY adding to  
15 Article - State Government  
16 Section 1-102  
17 Annotated Code of Maryland  
18 (1999 Replacement Volume and 2003 Supplement)

19 BY adding to  
20 Article - Transportation  
21 Section 1-104  
22 Annotated Code of Maryland  
23 (2001 Replacement Volume and 2003 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
25 MARYLAND, That the Laws of Maryland read as follows:

26 **Article - Agriculture**

27 1-202.

28 THE FEES IMPOSED UNDER THIS ARTICLE ON OCTOBER 1, 2004, SHALL REMAIN  
29 IN EFFECT UNTIL ALTERED BY THE GENERAL ASSEMBLY.

30 **Article - Business Occupations and Professions**

31 1-209.

32 THE FEES IMPOSED UNDER THIS ARTICLE ON OCTOBER 1, 2004, SHALL REMAIN  
33 IN EFFECT UNTIL ALTERED BY THE GENERAL ASSEMBLY.

1

**Article - Business Regulation**

2 1-211.

3 THE FEES IMPOSED UNDER THIS ARTICLE ON OCTOBER 1, 2004, SHALL REMAIN  
4 IN EFFECT UNTIL ALTERED BY THE GENERAL ASSEMBLY.

5

**Article - Corporations and Associations**

6 5-108.

7 (b) (1) The application shall be accompanied by the fee, if any, set by the  
8 licensing unit.

9 (2) THE FEE IMPOSED UNDER THIS SECTION ON OCTOBER 1, 2004, SHALL  
10 REMAIN IN EFFECT UNTIL ALTERED BY THE GENERAL ASSEMBLY.

11

**Article - Education**

12 13-516.

13 (c) (1) To apply for a license or certificate, an individual shall:

14 (i) Submit an application on the form that the EMS Board  
15 requires; and

16 (ii) Pay to the EMS Board any application fee set by the EMS Board  
17 under subsection (m) of this section.

18 (2) The EMS Board may not charge a licensing, certifying, testing, or  
19 retesting fee to any individual who is a member or employee of any governmental or  
20 volunteer fire, rescue, or emergency medical services company at the date of  
21 application.

22 (3) The EMS Board shall provide for the term and renewal of licenses or  
23 certificates issued under this section.

24 (4) THE FEES IMPOSED UNDER THIS SUBSECTION ON OCTOBER 1, 2004,  
25 SHALL REMAIN IN EFFECT UNTIL ALTERED BY THE GENERAL ASSEMBLY.

26

**Article - Environment**

27 1-204.

28 THE FEES IMPOSED UNDER THIS ARTICLE ON OCTOBER 1, 2004, SHALL REMAIN  
29 IN EFFECT UNTIL ALTERED BY THE GENERAL ASSEMBLY.

1 **Article - Family Law**

2 5-4C-03.

3 (a) The Director shall:

4 (1) establish and maintain a Mutual Consent Voluntary Adoption  
5 Registry;

6 (2) adopt rules and regulations to carry out the provisions of this  
7 subtitle; and

8 (3) set and assess a reasonable fee for registrants, except that an  
9 individual may not be denied registration solely because of an inability to pay the fee.

10 (b) The Director may contract with child placement agencies in this State to  
11 perform specific duties under this subtitle.

12 (C) THE FEE IMPOSED UNDER THIS SECTION ON OCTOBER 1, 2004, SHALL  
13 REMAIN IN EFFECT UNTIL ALTERED BY THE GENERAL ASSEMBLY.

14 **Article - Financial Institutions**

15 1-210.

16 THE FEES IMPOSED UNDER THIS ARTICLE ON OCTOBER 1, 2004, SHALL REMAIN  
17 IN EFFECT UNTIL ALTERED BY THE GENERAL ASSEMBLY.

18 **Article - Health - General**

19 1-203.

20 THE FEES IMPOSED UNDER THIS ARTICLE ON OCTOBER 1, 2004, SHALL REMAIN  
21 IN EFFECT UNTIL ALTERED BY THE GENERAL ASSEMBLY.

22 **Article - Health Occupations**

23 1-205.

24 (A) Each health occupation board may consider regional and national averages  
25 of health occupations licensing fees when the board evaluates the amount that  
26 constitutes a reasonable fee for the issuance and renewal of licenses and its other  
27 services.

28 (B) THE FEES IMPOSED UNDER THIS ARTICLE ON OCTOBER 1, 2004, SHALL  
29 REMAIN IN EFFECT UNTIL ALTERED BY THE GENERAL ASSEMBLY.

**Article - Labor and Employment**

1 5-315.

2 (b) (1) The Commissioner may set a fee for the cost to prepare and mail a  
3 copy of the current regulations.

4 (2) On request and payment of the fee, if any, the Commissioner shall  
5 send a person a copy of the current regulations.

6 (3) THE FEE IMPOSED UNDER THIS SUBSECTION ON OCTOBER 1, 2004,  
7 SHALL REMAIN IN EFFECT UNTIL ALTERED BY THE GENERAL ASSEMBLY.

8 9-6A-07.

9 (b) (1) Subject to paragraph (2) of this subsection, the Commission shall  
10 establish reasonable fees for registration, registration renewal, and any other service  
11 performed by the Commission necessary to carry out the provisions of this subtitle.

12 (2) (i) The fees established by the Commission shall be set in a  
13 manner that will produce funds sufficient to cover the actual direct and indirect costs  
14 of regulating the rehabilitation practitioner industry in this State in accordance with  
15 the provisions of this subtitle.

16 (ii) The fee for registration may not exceed \$165.

17 (3) THE FEES IMPOSED UNDER THIS SUBSECTION ON OCTOBER 1, 2004,  
18 SHALL REMAIN IN EFFECT UNTIL ALTERED BY THE GENERAL ASSEMBLY.

19 (4) The Commission shall pay all money collected under this subtitle into  
20 a special fund to be used only to fund the actual direct and indirect costs of regulating  
21 the rehabilitation practitioner industry in this State in accordance with the  
22 provisions of this subtitle.

23 [(4)] (5) Any surplus remaining in the special fund at the end of the  
24 fiscal year shall be used to reduce the registration fee for the following fiscal year.

**Article - Natural Resources**

25 1-403.

26 THE FEES IMPOSED UNDER THIS ARTICLE ON OCTOBER 1, 2004, SHALL REMAIN  
27 IN EFFECT UNTIL ALTERED BY THE GENERAL ASSEMBLY.

**Article - Public Safety**

28 1-203.

29 THE FEES IMPOSED UNDER THIS ARTICLE ON OCTOBER 1, 2004, SHALL REMAIN  
30 IN EFFECT UNTIL ALTERED BY THE GENERAL ASSEMBLY.

1 **Article - Public Utility Companies**

2 2-111.

3 (a) The Commission may charge reasonable fees for copies of Commission  
4 documents.

5 (b) The Commission may charge \$1 to issue or renew a taxicab driver license  
6 and \$2 to issue a duplicate taxicab driver license.

7 (C) THE FEES IMPOSED UNDER THIS SECTION ON OCTOBER 1, 2004, SHALL  
8 REMAIN IN EFFECT UNTIL ALTERED BY THE GENERAL ASSEMBLY.

9 **Article - State Government**

10 1-102.

11 THE FEES IMPOSED UNDER THIS ARTICLE ON OCTOBER 1, 2004, SHALL REMAIN  
12 IN EFFECT UNTIL ALTERED BY THE GENERAL ASSEMBLY.

13 **Article - Transportation**

14 1-104.

15 THE FEES IMPOSED UNDER THIS ARTICLE ON OCTOBER 1, 2004, SHALL REMAIN  
16 IN EFFECT UNTIL ALTERED BY THE GENERAL ASSEMBLY.

17 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the  
18 General Assembly that enactment of this Act shall terminate the regulatory authority  
19 of licensing units, regulatory units, and officials of State government to set fees.

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 October 1, 2004.